

§ 108A-70.11. Definitions.

Definitions. – As used in this Part:

- (1) "Attorney General" means the Attorney General or any Deputy, Assistant, or Associate Attorney General.
- (2) "Claim" means an application for payment or approval or for use in determining entitlement to payment presented to the Medical Assistance Program in any form, including written, electronic, or magnetic, which identifies a service, good, or accommodation as reimbursable under the Medical Assistance Program.
- (3) "Damages" means the difference between what the Medical Assistance Program paid a provider and the amount it would have paid the provider in the absence of a violation of this section and may be established by statistical sampling methods.
- (4) "Knowingly" means that a provider, with respect to the information:
 - a. Has actual knowledge of the information;
 - b. Acts in deliberate ignorance of the truth or falsity of the information;
or
 - c. Acts in reckless disregard of the truth or falsity of the information.
No proof of specific intent to defraud is required.
- (5) "Medical Assistance Program" means the North Carolina Division of Medical Assistance and its fiscal agent. (1997-338, s. 1.)